

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking Regarding Exclusivity)	RM-11497
Arrangements Between Commercial Wireless)	(Terminated)
Carriers and Handset Manufacturers)	

ORDER

Adopted: May 18, 2012

Released: May 18, 2012

By the Chief, Broadband Division, Wireless Telecommunications Bureau:

1. On May 20, 2008, the Rural Cellular Association (RCA) filed a petition for rulemaking asking the Commission to initiate a rulemaking to examine the “effects of exclusivity arrangements between commercial wireless carriers and handset manufacturers, and, as necessary, adopt rules that prohibit such arrangements when contrary to the public interest.”¹ On October 10, 2008, the Commission released a Public Notice requesting comment on the *Petition*.² On May 11, 2012, RCA filed a letter to withdraw the *Petition*.³ We grant RCA’s request to withdraw its petition and terminate this proceeding.

2. Accordingly, IT IS ORDERED, pursuant to sections 4(i)-(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i)-(j), and pursuant to the authority delegated under sections 0.131 and 0.331 of the Commission’s Rules, 47 C.F.R. §§ 0.131, 0.331, that the RCA request to withdraw the *Petition* IS GRANTED without prejudice.

3. IT IS FURTHER ORDERED, pursuant to the authority delegated under sections 0.131 and 0.331 of the Commission’s Rules, 47 C.F.R. §§ 0.131, 0.331, that the proceeding in RM-11497 IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Blaise A. Scinto
Chief, Broadband Division
Wireless Telecommunications Bureau

¹ See generally Rural Cellular Association Petition for Rulemaking Regarding Exclusivity Arrangements Between Commercial Wireless Carriers and Handset Manufacturers, RM-11497 (filed May 20, 2008).

² See Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking Regarding Exclusivity Arrangements Between Commercial Wireless Carriers and Handset Manufacturers, RM-11497, *Public Notice*, 23 FCC Rcd 14873 (2008); Petition for Rulemaking Regarding Exclusivity Arrangements Between Commercial Wireless Carriers and Handset Manufacturers, RM-11497, *Order*, 23 FCC Rcd 17112 (2008) (extending the comment and reply comment dates to February 2, 2009, and February 20, 2009, respectively).

³ Letter from Steven K. Berry and Rebecca Murphy Thompson, RCA—The Competitive Carriers Association, to MarleneH. Dortch, Sec’y, Federal Communications Commission, RM-11497 (filed May 11, 2012).